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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/739,516	12/18/2000	Jody Western Lewis	US000345***	3122
24737	7590	10/10/2006	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS				TRUONG, LECHI
P.O. BOX 3001				
BRIARCLIFF MANOR, NY 10510				
		ART UNIT		PAPER NUMBER
		2194		

DATE MAILED: 10/10/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/739,516	LEWIS, JODY WESTERN	
	<b>Examiner</b>	<b>Art Unit</b>	
	LeChi Truong	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### **Status**

- 1) Responsive to communication(s) filed on 14 July 2006.
- 2a) This action is FINAL.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### **Disposition of Claims**

- 4) Claim(s) 1-3,6,7 and 10-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 11 and 13 is/are allowed.
- 6) Claim(s) 1-3,6-7, 10, 12, 14-17 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### **Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### **Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

  
 WILLIAM THOMSON  
 SUPERVISORY PATENT EXAMINER

#### **Attachment(s)**

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
 Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) Notice of Informal Patent Application
- 6) Other: \_\_\_\_\_.

## DETAILED ACTION

1. Claims 1-3, 6-7, 10-17 are presented for the examination. Claims 4-5 and 8-9 are cancelled.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-3 and 6-7, 12, 14-16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bubenick et al (US. Patent 5,933429) in view of Chang et al (US. Patent 6,553427 B1).

**As to claim 1**, Bubenik teaches the invention substantially as claimed including: a data (a data cell 22, col 5, ln 52-55col 6, 1 23-27), a software architecture using queues to organize the transfer of data from on processing object to another (col 6, ln 33-38), comprising step of:

storing queue indicator in a path object (the other data structure is the scheduling list 47, col 5, ln 21-23/ A scheduling list 47 consists of one or more input queue numbers organized as circular list... scheduling lists 47 are manipulated as a linked list structure using pointers. Input queue number are added to the tail of a scheduling list 47, col 5, ln 38-44/, an input queue number is used to point to the queue descriptor, which is data structure containing state

information that is unique to a particular connection, col 6, ln 13-18/ ln 54-65), a path object (a scheduling list 47, col 5, ln 38-44/ the queue descriptor, col 6, ln 13-18/ ln 54-65), the indicator in a path object corresponding to a respective data object (the data call will be assigned an input queue number, an input queue number is used to point to the queue descriptor, which is data structure containing state information that is unique to a particular connection, col 6, ln 13-18/ ln 54-65 ), first processing object( the first action performed by the input port processor 14, col 15, ln 52-55), the second processing object( the out put port processor 26, ln 7-10)processing the data in the a first of said processing object( col 5, ln 52-55)

identifying a queue corresponding to second processing data object depending on the indicator in the path object (col 6, ln 13-20/ col 7, ln 9-16).

placing said data object in the queue identified (processing data cell by comparing its own port number, link number and connection identification code of converted data cell in conjunction with 2-bit code in the echo field 68 of the output queue descriptor, this comparison is used to decide whether or not to enqueue the data cell arriving at a corresponding output queue 28, col 7, ln 9-16).

Bubenik do not explicitly teach data as data object. However, Chang teaches data object (encapsulated INAP message, col 3, ln 58-60/ col 4, ln 1-2/ an INAP message encapsulated by an INAP\_operation object, col 16, ln 47-50/ and INDP\_operation object, col 18, ln 15-20).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Bubenik and Chang because Chang 's data object would improve the efficiency of Bubenik's system by allowing object-oriented communication

interface to simplify the development and maintenance of service application program to provide enhanced services.

**As to claim 2**, Bubenik teaches identifying includes determining a result of said step processing (col 7, ln 9-16).

**As to claim 3**, Bubenik teaches determining a result of said step of processing and said queue corresponding to said result (col 7, ln 9-16).

**As to claim 6**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above. In additional, Bubenik teaches first processing data object defining a process a result of which to insure that a first data object is placed in a queue of at least one of said second and third processing object responsively to one of said path object (col 7, ln 9-15), at least 3 processing object (col output port processors 16, col 6, ln 33-37/ Fig. 1).

**As to claim 7**, Bubenik teaches placed in a queue of said of said at least one of said second and third processing objects responsively to the processing object indicator in the at least one of said path objects (col 7, ln 9-15)

**As to claim 12**, it is an apparatus claim of claims 1, 4 and 5; therefore, it is rejected for the same reasons as claims 1,4 and 5 above. In additional, Bubenick teaches second queuing the data object (col 8, ln 50-55), responsive to the second queuing, processing data object with a second processing object is performed the same as the step of processing first data object (col 8, ln 10-15) in order to place the second data object the corresponding queue (28a-d).

**As to claim 14**, it is an apparatus claim of claims 1 and 4; therefore, it is reject for the same reasons as claims 1 and 4.

**As to claims 15, 16,** they are apparatus claim of claim 6; therefore, they are rejected for the same reason as claim 6 above. In addition, Chang teaches a normal path indicator and a fault pat indicator (col 13, ln 27-31).

3. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bubenick et al (US. Patent 5,933429) in view of Chang et al (US. 6,553,427 B1), as applied to claim 1 above, and further in view of Nakamura (US. Patent 6,446,134 b1).

**As to claim 10,** Bubenick and Chang do not teach a table of queue indicator. However, Nakamura teaches a table of queue indicator (a busy flag field 45 of the destination registration table 40, col 7, ln 20-25).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Bubenik, Chang and Nakamure because Nakamure's a table of queue indicator would improve the flexibility of Bubenik and Chang's systems by allowing the manager unit to notify about a fault information in the connection destination address.

4. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over Bubenik et al (US. Patent 5,933429) in view of Chang et al (Us. 6,553,427 B1), as applied to claim 1 above, and further in view of Klausmeier et al (US. Patent 5,838915).

**As to claim 17**, Bubenik and Chang do not teach array of queue indicators. However, Klausmeier teaches array of queue indicators (the queue array, col 5, ln 10-20).

It would have been obvious to one of the ordinary skill in the art at the time the invention was made to combine the teaching of Bubenik, Chang and Klausmeier because Klausmeier's array queue indicator would improve the flexibility of Bubenik and Chang 's systems by providing a fast and efficiency mechanism for tracking and maintaining the order of the cells in each supported by the digital switch.

***Allowable Subject Matter***

6. Claims 11and 13 are allowed.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272 3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomson, William can be reached on (571) 272 3718. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR

system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

September 27, 2006

WILLIAM THOMSON  
SUPERVISORY PATENT EXAMINER